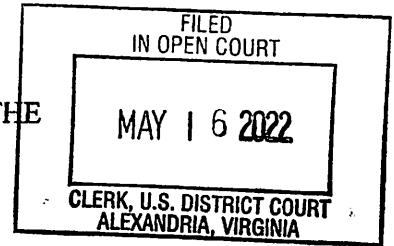


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

BABAK SAFAVI,
Defendant.

No. 1:22-CR- 76

STATEMENT OF FACTS

The parties stipulate that the allegations in the criminal information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

1. BABAK SAFAVI, the defendant, was convicted of Possession of a Firearm by a Felon, in federal court in the Eastern District of Virginia in Criminal Case 1:17CR85 on July 21, 2017, and Distribution of Cocaine in Circuit Court for Arlington County, Virginia on July 13, 1984, for which he was sentenced to more than one year of incarceration.

2. On October 31, 2021, a parcel containing a suppressor was intercepted at the JFK Mail branch U.S. Port of Entry. The parcel was seized after a border search was conducted, which was manifested as an "Aluminum Fuel Filter." The parcel was found to have contained one approximately 10-inch black, monocoressuppressor. The parcel was addressed to BOB SAFAVI at 37XX Morningside DR, Fairfax, VA 22031. The phone number listed on the parcel is 703-625-01XX. This phone number is the same phone number listed on SAFAVI's U.S. Passport Application, his USPS Online Postal Account, his InMotion Hosting account as well as his eBay and PayPal accounts. The United States Postal Service has confirmed that SAFAVI receives mail at 37XX Morningside Dr, Fairfax, VA 22031.

3. According to bank statements, SAFAVI made the following purchases in the year 2020: March 31-From 1 builder, an online site to file an ATF tax stamp; April 5-Beck Sports LLC, a manufacturer of subsonic ammunition; April 21-Durkin Tactical; April 29-Ammunition Depot; May 2-Three transactions for Creative Arms; May 5-Primary Arms; May 9-Three transactions for Eisenach Arms; May 9-Midway USA; May 16-Primary Arms; May 19- Eisenach Arms; May 19-Devil Dog Concepts; May 20-Aero Precision; May 21-CMG Triggers, Primary Arms, Bayou Gun Runner, American Tactical, Brownells, Inc.

4. On January 4, 2022, SAFAVI purchased 10 boxes of .223 75 grain subsonic ammunition using the name "SHAP SANU", his Hotmail email address and his phone number. The ammunition was shipped to his residence.

5. On May 15, 2020, under the name "RAN SIN" and using his Hotmail account, SAFAVI purchased a Sig Sauer Romeo Red Dot optic and paid for it with his JP Morgan Credit Card. On May 3, 2020, SAFAVI purchased an AR-15 bolt carrier group. On May 19, 2020, he purchased an AR-15 Handguard. On May 29, 2020, he purchased Magpul rail covers. On June 3, 2020, he purchased an AR-15 upper parts receiver kit, buffer kit, stock assembly and an AR-16 lower parts kit. These are all components to build an AR-15 rifle with no serial numbers. According to account information obtained from Primary Arms, Inc. SAFAVI has his own name as well as "RAN SIN" listed as names for the account. His phone number is provided as well as his JP Morgan Chase credit card as the only payment method linked to the account.

6. On June 6, 2020, SAFAVI purchased suppressor tubes and adapters to manufacture his own firearms suppressor from Solvent Traps Direct. The suppressor was shipped to his residence.

7. On May 27, 2020, SAFAVI ordered a .556 Magazine and multi loader package

from American Tactical. He used the name "RAN SN" but paid with his JP Morgan Chase Credit Card and had it shipped to his residence.

8. On May 2, 2020, SAFAVI ordered a 1/2x28 9MM suppressor, a 9MM Booster Housing for a suppressor, a 9MM drill fixture and a 5.56 caliber drill fixture from Quietbore.Com. He used the name "ROS SON" and had it shipped it his residence.

9. On April 22, 2020, SAFAVI ordered a Polymer 80 lower Glock receiver under the name "ROB SAN." On April 21, 2020, SAFAVI purchased a Polymer 80 "buy build shoot kit" from Durkin Tactical using the name "ROS SAN." This kit has everything needed to put a pistol together. The kit was shipped to his residence.

10. A federal arrest warrant and a federal search warrant for SAFAVI's residence were obtained and executed on March 15, 2022. Recovered in SAFAVI's residence were a Anderson MFG AM-15 rifle, serial number 20115191; an AR style rifle with no serial number; a Stag Arms Stag 15 rifle, seral number Y428465; a Smith and Wesson M&P 9 Pro, serial number HPH5239; 1135 rounds of .223 ammunition; 313 rounds of 9mm ammunition; 90 rounds of 5.56 x 45 ammunition; 500 rounds of .45 caliber ammunition; 3 rounds of .22 ammunition; 3 silencers, one attached to a firearm; and 11 magazines, firearm parts and tools, a drum magazine, 5 night vision and 4 scopes. The handgun and rifles had threaded barrels and the handgun had a silencer attached.

11. The firearm parts and ammunition discussed in this statement of facts were not manufactured in the Commonwealth of Virginia and, therefore, the firearm and ammunition traveled in, and/or affected interstate commerce. Most, if not all, of the firearm parts moved interstate and all of the ammunition moved interstate. The defendant was aware that he was a convicted felon as Judge Brinkema repeatedly informed him could not longer possess firearms and

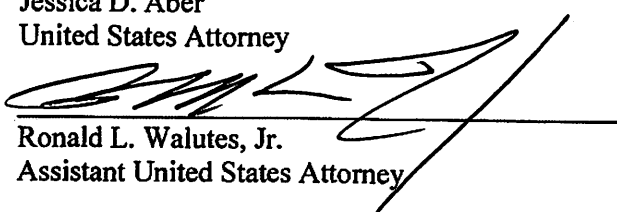
he obtained his firearms and ammunition over the internet and not directly from a firearms dealer often using false names.

12. The acts taken by the defendant, SAFAVI, in furtherance of the offense charged in this case, 18 U.S.C. §922(g)(1), including the acts described above, were done knowingly with the specific intent to violate the law. The defendant acknowledges the foregoing statement of facts does not describe all of the defendant's conduct relating to the offense charged in this case.

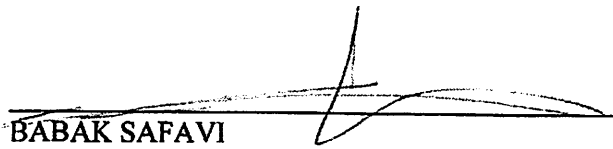
Respectfully submitted,

Jessica D. Aber
United States Attorney


By:


Ronald L. Walutes, Jr.
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, BABAK SAFAVI, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


BABAK SAFAVI

I am BABAK SAFAVI 's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Cory Citronberg, Esquire
Attorney for BABAK SAFAVI